

AMENDED IN ASSEMBLY MARCH 28, 2016

AMENDED IN ASSEMBLY MARCH 7, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1815

Introduced by Assembly Member Alejo

February 8, 2016

An act to amend Section 39713 of, and to add Section 39713.5 to, to the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 1815, as amended, Alejo. California Global Warming Solutions Act of 2006: disadvantaged communities.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities.

~~This bill would require the agency to prepare and post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities.~~

This bill would also require the agency to establish a comprehensive technical assistance program, upon the appropriation of moneys from the Greenhouse Gas Reduction Fund, for eligible applicants, as specified, assisting eligible communities, as defined. *The bill would require the agency to provide technical assistance to communities based on a specified priority.*

This bill also would require the department to include in the 3-year investment plan an allocation to the agency for that technical assistance program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 39713 of the Health and Safety Code is~~
- 2 ~~amended to read:~~
- 3 ~~39713. (a) The investment plan developed and submitted to~~
- 4 ~~the Legislature, pursuant to Section 39716, shall allocate a~~
- 5 ~~minimum of 25 percent of the available moneys in the fund to~~
- 6 ~~projects that provide benefits to communities described in Section~~
- 7 ~~39711.~~
- 8 ~~(b) The investment plan shall allocate a minimum of 10 percent~~
- 9 ~~of the available moneys in the fund to projects located within~~
- 10 ~~communities described in Section 39711.~~
- 11 ~~(c) The allocation pursuant to subdivision (b) may be, but need~~
- 12 ~~not be, for projects included, in whole or in part, in the set of~~
- 13 ~~projects supported by the allocation described in subdivision (a).~~
- 14 ~~(d) The California Environmental Protection Agency shall~~
- 15 ~~prepare and post on its Internet Web site a report on the projects~~
- 16 ~~funded pursuant to this section. The report shall include all of the~~
- 17 ~~following:~~
- 18 ~~(1) A general description of each project.~~
- 19 ~~(2) The location where each project will be implemented.~~
- 20 ~~(3) The estimated date of completion of each project.~~
- 21 ~~(4) The amount awarded to each project.~~

~~(5) The status of any moneys in the fund that are not awarded pursuant to this section and the reasons those moneys have not been awarded.~~

~~SEC. 2.~~

SECTION 1. Section 39713.5 is added to the Health and Safety Code, to read:

39713.5. (a) For purposes of this section, the following terms have the following meanings:

(1) “Agency” means the California Environmental Protection Agency.

(2) “Eligible communities” means census tracts identified as disadvantaged pursuant to Section 39711 or with median incomes at or below ~~80~~ 60 percent of the statewide median income.

(b) The investment plan developed and submitted to the Legislature pursuant to Section 39716 shall allocate from the available moneys in the fund technical assistance moneys to the agency to implement this section. That allocation of technical assistance moneys shall not be used to satisfy the requirements of subdivisions (a) and (b) of Section 39713.

(c) (1) Upon an appropriation of moneys from the fund, the agency shall establish a comprehensive technical assistance program for eligible applicants assisting eligible communities that the agency determines require technical assistance in accessing programs allocated moneys appropriated from the fund.

(2) Eligible applicants include, but are not limited to, regional agencies and nonprofit organizations coordinating with local governments. ~~A city may be an eligible applicant if it has a population of 600,000 or less, as reported by the United States Census Bureau in the 2010 census.~~

(3) (A) The agency, in consultation with agencies that administer programs using moneys appropriated from the fund, shall develop guidelines to implement this program consistent with this section.

(B) The agency shall provide an opportunity for public comment prior to finalizing the guidelines.

(d) The agency shall prioritize technical assistance for ~~those~~ communities ~~demonstrating the~~ based on the following order:

(1) *Communities having the greatest need for increased capacity to access to* programs using moneys appropriated from the fund.

1 (2) *Communities having a lower demonstrated general capacity*
2 *to apply for grant funding.*

3 (3) *Communities that have not previously applied for and*
4 *received grant funding.*

5 (4) *Communities that have previously received grant funding.*
6 *These communities shall be ranked based on the amount of grant*
7 *funding per capita received, with those having received the lesser*
8 *amount per capita provided with higher priority.*

9 (e) The program established pursuant to this section shall
10 provide assistance to eligible applicants with any of the following:

11 (1) Identifying state agencies with appropriate grant programs.

12 (2) Developing competitive project proposals to apply for
13 moneys available through state agencies or pursuant to this chapter.

14 (3) Coordinating existing local programs to reduce greenhouse
15 gas emissions with new programs receiving moneys pursuant to
16 this chapter.

17 (4) Conducting community outreach to residents of eligible
18 communities that the agency determines require technical
19 assistance on consumer programs receiving state or local moneys
20 pursuant to this chapter or for other programs that reduce
21 greenhouse gas emissions.

22 (f) Technical assistance provided pursuant to this section shall
23 promote programs that reduce emissions of greenhouse gases and
24 demonstrate a direct, meaningful benefit to eligible communities.
25 Cobenefits of these programs may include, but are not limited to,
26 improved air quality, improved water quality, improved public
27 health, increased access to employment in clean energy, increased
28 access to affordable housing and transit, reduced residential and
29 commercial water use, and increased residential and commercial
30 energy efficiency.